

REMARKS

Claims 25-34 and 64-73 are currently pending in the present application. No claims have been amended or canceled in this response.

In the Office Action mailed July 18, 2005, claims 31, 32 and 64 were rejected. More specifically, the status of the claims in light of this Office Action is as follows:

(A) Claims 31, 32 and 64 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,906,472 to Nakamura;

(B) Claims 25-30 were allowed; and

(C) Claims 34 and 65-73 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend.

A. Response to the Section 102(e) Rejection

Claims 31, 32 and 64 were rejected under 35 U.S.C. § 102(e) as being anticipated by Nakamura. As described below, Nakamura fails to disclose or suggest all of the features of these claims.

1. Claim 31 is Directed to a Retainer for Holding a Tray Stack Including, *inter alia*, a Floating Plate Moveably Positioned In a Casing for Pushing Trays Out of the Casing

Claim 31 is directed to a retainer for holding a tray stack having a plurality of trays that are configured to carry microelectronic devices. The retainer includes a casing having (a) a guide structure with a first end and a second end, (b) an interior holding area, and (c) an opening at least proximate to the second end. The guide structure is configured to support the tray stack with respect to a load/unload path and allow the tray stack to move through the guide structure along the load/unload path. The retainer further includes a plurality of moveable retaining elements at least proximate to the second end of the guide structure. The retaining elements are moveable between a storage position and a load/unload position. In the storage position, the retaining elements project into the interior holding area of the casing. In

the load/unload position, the retaining elements either do not project as far into the interior holding area or are completely removed from the interior holding area. The retainer also includes a floating plate moveably positioned in the casing to move along the load/unload path defined by the guide structure. The floating plate pushes the trays against the retaining elements when the retaining elements are in the storage position, and the floating plate pushes the trays out of the casing when the retaining elements are in the load/unload position.

2. Nakamura Discloses a Tray Removing Apparatus Having an Elevator Positioned Below a Storage Container

Nakamura discloses a tray removing apparatus for removing trays from a tray storage container. The tray storage container has an opening. The tray removing apparatus includes (a) first and second engagement hooks 12A and 12B positioned at the opening and external to the storage container, (b) a tray carrier 18 spaced apart from the opening and positioned below the engagement hooks 12A and 12B, and (c) an elevator 14 movable between the engagement hooks 12A and 12B and the tray carrier 18. The first engagement hooks 12A support the stack of trays after the stack is partially removed from the tray storage container. The first and second engagement hooks 12A and 12B operate together to release one tray at a time from the stack. The elevator 14 receives the released trays from the second engagements hooks 12B and carries the trays downward to the tray carrier 18. As such, the elevator 14 is external to the tray storage container throughout the unloading process.

3. Nakamura Fails to Disclose or Suggest a Retainer for Holding a Tray Stack Including, *inter alia*, a Floating Plate Moveably Positioned in the Casing for Pushing Trays Out of the Casing

Nakamura fails to disclose or suggest a retainer for holding a tray stack including, *inter alia*, "a floating plate moveably positioned in the casing . . . [for] pushing the trays out of the casing when the retaining elements are in the load/unload position," as recited in claim 31. The applicants do not concede to the characterization of Nakamura in the Office Action, but even if the elevator, tray storage container, and engagement hooks of Nakamura correspond to the floating plate, casing, and retaining elements, respectively, of claim 31 as suggested by the Examiner, then Nakamura's

elevator is not moveably positioned in the storage container and does not push the trays out of the container. Rather, Nakamura's elevator is positioned outside the storage container to move trays from the engagement hooks to the tray carrier. Moreover, there is no motivation to modify Nakamura's apparatus and place the elevator in the storage container because in such a position the elevator could not carry the individual trays to the tray carrier. Therefore, the Section 102(e) rejection of claim 31 should be withdrawn because (a) Nakamura fails to disclose or suggest all the elements of claim 31, and (b) one of ordinary skill in the art would not be motivated to modify Nakamura's device to include all the elements of claim 31.

Claim 32 depends from claim 31. Accordingly, the Section 102(e) rejection of claim 32 should be withdrawn for the reasons discussed above with reference to claim 31 and for the additional features of this claim.

Independent claim 64 has, *inter alia*, features generally analogous to the features of claim 31. Accordingly, the Section 102(e) rejection of claim 64 should be withdrawn for the reasons discussed above with reference to claim 31 and for the additional features of this claim.

B. Objection to Claims 34 and 65-73

Claims 34 and 65-73 were objected to as being dependent on a rejected base, but were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend. These claims have not been rewritten in independent form because the rejection of their respective independent claims should now be withdrawn.

C. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. The applicants accordingly request reconsideration of the application and a Notice of

Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned representative at (206) 359-6465.

Respectfully submitted,

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